

EF - 2-1047

330

FEDERAL PERSONNEL COUNCIL
UNITED STATES CIVIL SERVICE COMMISSION
1626 K Street, N. W.
Washington 25, D. C.

APPROVED

AUG 23 1951

Federal Personnel Council
UACSCG

August 23, 1951

The following report was prepared by a special Subcommittee of the Federal Personnel Council, and, following extended discussion and some revision at several meetings, was adopted by the Council on August 9, 1951. It represents an effort to develop guidelines for effective relationships with organized employee groups in the Federal service. The present practices in some Federal agencies are reflected in the provisions of this report.

SUGGESTED GUIDE
for
EFFECTIVE RELATIONSHIPS WITH ORGANIZED
EMPLOYEE GROUPS IN THE FEDERAL SERVICE

STATINTL

L. R. Zarnes

W. L. Pfanzagl

STATINTL

1. POLICY

a. Any arrangements effected between employees in the Federal service, their unions or associations, and Federal administrators shall be in conformity with the principle that the authority of the Federal government, within the limits of the power delegated to it by the people of the United States through the Constitution, is supreme.

b. The agency and the organized employee group must share the responsibility of maintaining good relationships. Mutual cooperation is an obligation that rests equally upon organized employee groups and representatives of the agency.

c. Employees have the right--without interference, coercion, restraint, and fear of discrimination or reprisal--to be members of or refrain from being members of any lawful group, organization, union, or association; and no employee and no one seeking employment shall be required as a condition of employment, transfer, promotion, or retention in the Service, to be a member of or to refrain from being a member of any lawful employee group, organization, union, or association, except that agencies dealing with labor relations may prohibit certain classes of their employees from joining unions affiliated with organizations involved in controversies with which any such agencies deal.

d. No employee shall strike against the Government or be a member of an organized employee group that asserts the right to strike against the Government, since a strike or a resort to any other form of work stoppage on the part of Federal employees is totally incompatible with the methods and purposes of democratic government.

Copies to : I&S, Adv for Mgt, AD/Personnel

- 2 -

e. To provide for the fullest possible employee-management cooperation, representatives of organized employee groups should be encouraged, and insofar as practicable may from time to time be requested, to discuss with officials of the agency questions of personnel policy of general interest to employees or other matters having to do with the interest and well-being of employees. Understandings arrived at between officials of the agency and representatives of organized employee groups or readjustments that may be effected must not conflict with applicable provisions of law or of Civil Service rules and regulations.

f. Policies and procedures governing relationships with organized employee groups, as well as all other personnel policies should be published and available to all employees and copies should be furnished organized employee groups upon request.

g. Organized employee groups may make recommendations and proposals regarding any policy, regulation, administrative instruction, or practice affecting employment in the agency. The agency should consider carefully such proposals, recommendations, inquiries, or complaints presented by such groups and without undue delay take such action as is considered necessary and appropriate based on full and fair consideration of all the facts. The representative of the organized employee group should be informed promptly of the action taken and the basis therefor.

h. Employees do not by reason of membership in an organized employee group acquire any special privileges, rights, or immunities respecting their employment and such membership may not in any way serve to nullify the force and effect of personnel policies and procedures applicable to all employees.

i. Failure on the part of any organized employee group to observe the established procedures governing relationships with organized employee groups may be cause, after fair consideration, for denial of privileges granted by the agency.

j. The policy is not to be construed as limiting or denying the right of any individual employee or his representative to confer with or be consulted by administrative or supervisory officials.

2. DEFINITIONS

- a. Agency The term "agency" as used herein includes executive departments and commissions, boards, corporations, and other independent establishments.
- b. Organized Employee Groups For the purposes of this outline, an organized employee group is an organization which provides representation for members who are employees within the service, in consultation with management on matters pertinent to their employment.

- 3 -

2. (continued)

- c. Group Proposals - For the purpose of this outline, a group proposal includes, recommendations, or complaints made by organized employee groups, involving policy, practice, or procedure affecting employees on such subjects as working conditions, safety, in-service training, employee management cooperation, methods of appeals, methods of adjustment of grievances, tours of duty, rates of pay, granting of leave, promotions, demotions, removals, and reduction in force.

(1) The fact that in some instances the element of individual grievance may be present in group proposals should not in itself prohibit the consideration of the matter as a group proposal. On the other hand, the existence of a grievance procedure should not be used by the agency as a device for refusing to entertain matters brought up by organized employee groups or their representatives in the mistaken belief that because individual grievances may be involved the matter can be resolved only through processing the individual grievance procedure.

- d. Representatives of Organized Employee Groups - For the purposes of this Guide, representatives of organized employee groups are individuals accredited by such groups to represent their interests in relationships or dealings with the agency. The representative need not be an employee, except in those situations where it is reasonable to require that only employees act in that capacity because of security reasons.

3. CHANNELS

The head of the agency should determine the operating levels at which representatives of organized employee groups will deal, including provision for reconsideration by the head of the agency. The point or points of original contact should be at the lowest practicable operating levels.

4. IDENTIFICATION OF ORGANIZED EMPLOYEE GROUPS

- a. In identifying organized employee groups, the agency may require the group to submit a copy of its charter and by-laws plus names of its officers. Under no circumstances, however, should the group be required to reveal the identity or total number of employees belonging to such group.

- 4 -

5. CONCLUSIONS

- a. Consultations with representatives of organized employee groups should be conducted informally; should be held at a mutually convenient time; and should be scheduled during regular working hours, if possible. In arranging consultations at the request of organized employee groups, the representative may be required to state orally or in writing the nature of the matter to be discussed.
- b. Employee representatives of an organized employee group should be permitted to attend consultations held within the local geographical area without charge to leave. Such employees who attend consultations with officials of any other agency, or held outside the local geographic area, should be considered as doing so on their own time and at their own expense.

6. BULLETIN BOARDS AND DISTRIBUTION

- a. Space on bulletin boards should be provided for the posting of notices and literature of organized employee groups.
- b. Distribution of literature (including circulation of petitions) by an employee member of an organized employee group should be permitted, provided (1) the employee distributes the literature outside his regular working hours, preferably immediately before the regularly scheduled opening time, and (2) the placing of the literature on the desks or at the work places of employees is done outside their regular working hours. There may be situations where the circumstances are such that it would be reasonable to restrict certain areas for purposes of distribution because of security reasons, safety hazards, or locked space. In such situations management should inform the group specifically of the areas in which the distribution of literature in this manner will not be permitted.
- c. Prior clearance by the agency of notices or literature to be posted on bulletin boards or distributed may or may not be necessary. The agency should make clear to representatives of organized employee groups its policy and standards as to the content and size of material that will be acceptable, and should place responsibility of adherence thereto upon the group. The following standards should be observed:
 - (1). Notices or literature must be reasonable in size, properly identified as material of the organized employee group, and contain nothing that would seem to identify it as official agency material or to imply that it is sponsored or endorsed by the agency.

- 5 -

- (2) Such material will be restricted to matters of direct concern to employees in relation to their employment by the Government and may not deal with sectarian religious subjects nor with political, public, or social issues unrelated to their employment.
- (3) Such material may not contain scurrilous, personal attacks upon individuals as contrasted with objective statements of opinions, favorable or unfavorable, about issues and individuals who may be involved.
- d. If, after investigation, the agency determines there has been nonconformance to its policy and standards, the agency should so inform the representative of the organized employee group, explaining the basis therefor. Immediate steps should be taken by management to remove any such material from the bulletin boards.
- e. Non-conformance to policy and standards governing the posting of material on bulletin boards and the distribution of literature may be cause for denial by the agency of the privilege of posting and distribution.

7. CANVASSING

Employees may not take time from their official duties to canvass or solicit membership or to collect membership dues for organized employee groups, and employees not on official duty and non-employees may not canvass or solicit membership or collect membership dues where such activities would take the time of the employees so contacted from their official duties. Canvassing or soliciting membership or collecting membership dues should not be permitted on agency premises at any time where such activities would interfere with operations of the agency.

8. BUSINESS AND MEMBERSHIP MEETINGS

Subject to safety and security regulations, and where facilities for the holding of meetings of organized employee groups are available on agency premises, organized employee groups should be granted permission to use such facilities for business and membership meetings outside the regularly scheduled working hours of the employees involved, provided that such action will not interfere with the proper functioning of agency activities. Requests to hold such meetings should be made to the agency in advance, and the date, time, and general purpose of the meeting should be indicated at that time. Ordinarily, such meetings may be attended and conducted by non-employees. There may be situations, however, where the circumstances are such that it would be reasonable because of security reasons to require that only employees attend and conduct such meetings.

X X X X X X X X X X X